

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

PAUL MOON

PLAINTIFF

v.

No. 4:08CV00527 JLH

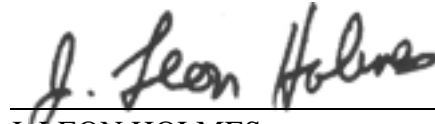
OZARK HEALTH, INC.

DEFENDANT

**ORDER**

Plaintiff's motion to vacate the ERISA scheduling order is GRANTED. Document #6. The ERISA scheduling order is hereby set aside. A regular scheduling order for trial will be entered separately. The defendant has requested a preliminary order for the filing and briefing of a motion to dismiss or a motion for summary judgment. If the defendant wishes to file either or both such motions, it may do so pursuant to the Federal Rules of Civil Procedure at any time, provided that they are filed before the motions deadline that will be provided in the scheduling order.

IT IS SO ORDERED this 28th day of July, 2008.

  
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J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE